IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE FIFTY DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE V.V.S.RAO

WRIT PETITION NO : 13779 of 2004

Between:

1 Taala Veerabhadrudu, S/o.Onguru,
R/o.Jillella Village, Gospad mandal,Kurnool Dist.
2 Basireddygari Tulasamma, W/o.Shanker Reddy,
R/o.Jillella Village, Gospad mandal,Kurnool Dist.
3 Mallella Nagendramma, W/o.Sambhashivudu,
R/o.Jillella Village, Gospad mandal,Kurnool Dist.
4 Booram Lakshim Devi, W/o.Ramakrishnudu,
R/o.Jillella Village, Gospad mandal,Kurnool Dist.
5 Mangali Ramaaka, W/o.Pedda Naaganna,
R/o.Jillella Village, Gospad mandal,Kurnool Dist.
6 Chaakali Pullamma, W/o.Ayyaluri Maddiletti,
R/o.Jillella Village, Gospad mandal,Kurnool Dist.
7 Annaladasu Pedanarasimhudu, S/o.Obulesh,
R/o.Jillella Village, Gospad mandal,Kurnool Dist.
8 Boya Atchamma, W/o.Boya Peddanna,
R/o.Jillella Village, Gospad mandal,Kurnool Dist.
9 Gadwala Moulalamma, W/o.Dastagiri,
R/o.Jillella Village, Gospad mandal,Kurnool Dist.
10 Shaik Rahmat Bee, W/o.Abdul Saadak,
R/o.Jillella Village, Gospad mandal,Kurnool Dist.
11 Shaik Tahara Bee, W/o.Khalil Ahmed,
R/o.Jillella Village, Gospad mandal,Kurnool Dist.
12 Marige Rama Subbamma, W/o.Namulu Krishnudu,
R/o.Jillella Village, Gospad mandal,Kurnool Dist.
13 Gajjella Raghu Ramudu, S/o.Seetha Ramudu,
R/o.Jillella Village, Gospad mandal,Kurnool Dist.
14 Gillella Jayamma, W/o.Chinna Brahmam,
R/o.Jillella Village, Gospad mandal,Kurnool Dist.
15 Lakka Rajamma, W/o.Yesudesu,
R/o.Jillella Village, Gospad mandal,Kurnool Dist.

..... PETITIONERS

AND

1 The District Collector, Kurnool Dist.
2 The Revenue Divisional officer, Nandyal, Kurnool Dist.
3 The Mandal Revenue officer, Gospad Mandal, Kurnool Dist.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction more particularly one in the nature of writ of Mandamus declaring the action of the respondents herein in proceeding to allot house site pattas to persons of their choice ignoring the list of beneficiaries already finalized and declared on 19-3-99 by the respondents herein for the purpose of grant of house site pattas in respect of land to an extent of Ac.12.74 cents in Sy.No.151/2 of Gillella Village, Gospad Mandal, Kurnool District as highly illegal, arbitrary, discriminatory and violative of principles of Natural justice and proper in the circumstances of the case.

Counsel for the Petitioner: Mrs.S.NANDA

Counsel for the Respondents: GP FOR REVENUE

The Court made the following at the Admission stage:

ORDER:

The petitioners who are fifteen in number are residents of Jillella village in Gospad Mandal of Kurnool District. They filed the writ petition seeking a writ of mandamus declaring the action of the respondents, namely, the District Collector, Kurnool; the Revenue Divisional Officer, Nandyal; and the Mandal Revenue Officer, Gospad Mandal in proceeding to allot house site pattas to persons other than those who are included in the list of beneficiaries in 1999 as illegal and arbitrary.

It is the case of the petitioners that the land admeasuring Acs.12.74 in Survey No.151/2 of Jillella village, which belongs to Sri Chenna Keshava Swamy Temple, was acquired by the Government in 1999 for the purpose of granting house sites. After conducting socio economic survey, a list of beneficiaries containing 368 names was prepared on 19.03.1999, which was also approved by all the authorities. However, pattas were not granted by the respondents 1 and 2. The petitioners allege that now respondents 1 and 2 are taking steps to allot house site pattas to the persons of their choice ignoring the list of beneficiaries. Therefore, they filed the present writ petition.

I have heard the learned counsel for the petitioners and the learned Assistant Government Pleader for Revenue (Assignment). Along with the writ petition, the list of 368 beneficiaries was enclosed. The list was prepared admittedly in the year 1999 and therefore certainly it requires revision. Many of the persons now may not be eligible for grant of house site pattas, as house site pattas can be granted to the landless poor persons only. Therefore, instead of keeping the writ petition pending and further stalling the assignment of house site pattas, it would be in the interest of

justice, disposed of the writ petition at the admission stage in the following manner.

The third respondent shall again verify the socio economic particulars of all 368 persons included in the list of beneficiaries prepared in March, 1999 and finalise the list of beneficiaries duly excluding those persons who are not eligible, and shall submit the same to the respondents 1 and 2 for approval. As and when the list is approved, the land acquired shall be distributed by duly granting house site pattas to the extent prescribed by the Government. This order shall be complied with, within a period of four months from the date of receipt of a copy of this order.

The writ petition is accordingly disposed of.

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(V.V.S.RAO,J)

05.08.2004.

Note: Office to dispatch copy by 9.8.2004.

(By order)

pln

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1. The District Collector, Kurnool District.
2. The Revenue Divisional Officer, Nandyal, Kurnool District.

3. The Mandal Revenue Officer, Gospad Mandal, Kurnool District.

4. 2CCs to the G.P. for Revenue, High Court of A.P., Hyderabad (OUT).

5. 2CD copies.